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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit 1761

Timothy F. Simone, Primary Examiner

Attorney Docket No.: 2522-001
In re Patent Application of: Jeffrey M. Babicz
Serial No.: 10/689,583
Filing Date: October 22, 2003
For: Chocolate Processing Machine

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to Final Office Action Mailed June 21, 2006

Dear Examiner Simone:

This is in response to the Final Office Action mailed June 21, 2006.

The claims remain unchanged.

Claim Rejections – 35 U.S.C. Sec. 112

The rejection of Claims 1-12 under 35 U.S.C. 112 in that the recitation that the means for controlling and means for timing the heating means, cooling means and rotation means does not have support in the original specification, is respectfully traversed.

Adequate support for the recitations is found in the specification and claims, and, by way of example, as follows:

1. The control panel portion of the drawing and written description, most notably Fig. 4A and related description:

A. The microprocessor M driven by the code well within the knowledge of an artisan skilled in the art and typified by the representative software coding found in Figs. 8 and 9.

B. The control's display window and matrix depicted in Fig. 5A and, in particular, keypad 84 and related discussion in the second paragraph on page 9 of the specification for controlling bowl rotation and heating (and cooling).